



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/877,439

06/08/2001

Hans-Linhard Reich

17209-019

1544

54205 7590 10/09/2007  
CHADBOURNE & PARKE LLP  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

DASS, HARISH T

ART UNIT

PAPER NUMBER

3692

MAIL DATE

DELIVERY MODE

10/09/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

09/877,439

**Applicant(s)**

REICH ET AL.

**Examiner**

Harish T. Dass

**Art Unit**

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Finality of last office action (paper # 20061003) is withdrawn based on Applicant's field paper Pre-Appeal Request (4/12/2007) and Pre-Appeal Brief Decision (6/26/2007).

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cwenar (US 5,893,079) in view of Rhonda Bissig (Merrill, ex-broker hit with multi-million dollar lawsuit in N.H. Rhonda Bissig. Wall Street Letter. New York: Feb 7, 2000. Vol. 32, Iss. 6; pg. 1, 2 pgs) – hereinafter Bissig.

Re. Claim 1, Cwenar discloses receiving a compliance request having an associated party and indicating a particular instrument associated with an issuer [Abstract; col. 1 lines 11-20]; (b) retrieving restrictions associated with the particular instrument from a collection of restrictions [Figure 5; col. 1 lines 11-20; col. 5 lines 22-25; col. 11 line 34 to col. 12 line 48 – violation of rules]; (c) accessing a compliance rule set identifying at least one compliance rule selected in accordance with a profile associated with the party [col. 10 lines 23-35 – “rules have been established with respect to a specific

user”], (d) evaluating at least a portion of the rules in the compliance rule set using the retrieved restrictions to determine if the request complies with the restrictions [col. 2 lines 42-51; col. 11 line 34 to col. 12 line 48]; and (e) outputting a message in electronic form indicating a compliance condition in accordance with results of the evaluating step [col. 2 lines 42-51; col. 3 lines 17-18 (provide a system which delivers timely, accurate investment data ...)].

Cwenar does not explicitly disclose the profile reflecting at least the relationship between the party and the entity. However, Bissig discloses this feature [see pages 1 & 2, the article shows the relationship of agent with brokerage firm “David allegedly engaged in trading activities that are a violation of both Merrill and industry compliance rules. ... David's alleged relationship with Canadian mining company Naxos Resources. ...”]. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Cwenar and include profile reflecting at least the relationship between the party and the entity, as disclosed by Bissig to provide system to monitor the violation and compliance rule with respect to the party engaged in trade who has relation ship with entity and provide preventive steps for unauthorized and fraudulent transaction by party who has relationship with firm.

Re. Claim 2, Cwenar discloses wherein each compliance rule has an associated priority, the priority indicating an order in which the rules are applied during the

Art Unit: 3693

evaluating step [col. 2 lines 41-51].

Re. Claims 16 and 21, claims 16 and 21 are rejected with same rational & analysis as claim 1:

3. Claims 3-15, 17-20, 22-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cwenar and Bissig as applied to claims 1 and 2, and further in view of Applicant's Admitted Prior Art (APA).

Re. Claims 3-15, Cwenar discloses real-time high speed data processing for rule-based compliance, review and determination of a proposed transaction for violation, database and tables (setting up database, user privileges, access permission/restriction to a table is inherent in database setup "access group") [Figures 4-6; col. 2 line 41 to col. 3 line 2, col. 11 line 34 to col. 12 line 38; col. 13 lines 14-16]. Cwenar or Bissig *does not explicitly disclose* wherein the restrictions are indicated in a plurality of lists including a first list indicating restrictions related to publicly available information and a second list indicating restrictions related to non-public information; the priority of rules applying to the first list being greater than the priority of rules applying to the second list.

The restrictions are indicated in least a first list and restrictions in the first list have an associated severity level; the step of retrieving comprising retrieving restrictions from the first list wherein, if a plurality of restrictions associated with the particular

Art Unit: 3693

instrument is in the first list, retrieving from the first list only the restriction associated with the particular instrument having the highest severity level; wherein restrictions are transaction restrictions and each restriction has an associated severity level selected from a group comprising at least one of a low severity indicating that transactions are permitted for a party in a first category and not permitted for a party in a second category, and a high severity indicating that transactions are not permitted for any party. Wherein the first category comprise customers of the entity and the second category comprises employees of the entity. wherein the severity group further comprises a medium severity indicating that transactions are permitted only with additional approval. wherein the step of accessing a compliance rule set comprises: accessing a baseline rule set; accessing at least one additional rule set selected in accordance with the party profile; and combining the accessed baseline rule set and the at least one additional rule set to form the compliance rule set. accessing rule exception data selected in accordance with the party profile; and removing rules from the compliance rule set in accordance with the rule exception data. wherein the request is received from the party and the message is sent to the party. wherein the request is received from an electronic trading system and the output message is sent to the electronic trading system, logging requests where a determination is made that the request violates the restrictions; re-executing steps (b)-(d) on a periodic basis for logged requests; if a re-execution indicates that a particular logged request does not violate the restrictions, outputting a message indicating the request approval, wherein the entity comprises a company and the party comprises one of an employee of the company, a customer of the company,

and the company, wherein the compliance request comprises an electronic document containing data indicating a company name; the method further comprising the steps of extracting the company name from the document and mapping the extracted company name to an associated instrument and step of embedding the compliance condition message in a representation of the document.

However, APA discloses wherein the restrictions are indicated in a plurality of lists including a first list indicating restrictions related to publicly available information and a second list indicating restrictions related to non-public information; the priority of rules applying to the first list being greater than the priority of rules applying to the second list [page 2 line 8-17]. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Cwenar or Bissig and include wherein the restrictions are indicated in a plurality of lists including a first list indicating restrictions related to publicly available information and a second list indicating restrictions related to non-public information; the priority of rules applying to the first list being greater than the priority of rules applying to the second list, as disclosed by APA, to allow the financial institution to provide the public information about securities which are required by SEC for investor to know and restrict proprietary information from public which are essential to company only to avoid fraud and tampering with company database or operation.

Further, database administration, account setup, logging into database, accessing database, access privileges to database and tables based on severity level, groups, category, etc are old and will known. Where these access privileges are set

Art Unit: 3693

based on the business choices, interaction with public, management practices, etc. Database engines or software inherently allow these schemas to be embedded in software design or administrative procedures. For example: employee database of a company online, where every body can find the employee name, rank and telephone number, PTO employee locator, while a manager of a group can access some of the employee information in his group which is not available to public (logging to his company system based on his access privilege can check his staffs), e.g., salary, home address, where HR manager can access the entire database for all employee and every information available for employee but not the finance part of the company, etc.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Cwenar, Bissig, and APA and include different set of database access privileges for database users to provide users with the information they are allow to know and at the same time protect the business confidential information to reach unauthorized users who not suppose to have access to them.

4. Re. Claims 17-20, 22-34, 17-20, 22-34 having substantially similar limitations as claims 3-15 and are rejected with same rationales as rejection of claims 3-15.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims (4/12/2007) have been considered but are moot in view of the new ground(s) of rejection.



***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR ' 1.111 (c) to consider the references fully when responding to this action.

US 6578037 (Wang et al.) discloses accessing database based on security policy, where groups of security policies are established for a database schema object, such as a table or a view, access rules for accessing the database schema object, access to the database schema object is restricted based on security policy groups selected for the user and security policy groups are selected based on information associated with a user that is maintained or accessed by the database system and where the information associated with the user contains an attribute that identifies a policy group and the database management system uses the attribute to select policy groups that restrict the user's access to the database scheme object.

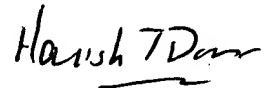
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T. Dass whose telephone number is 571-272-6793. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James A. Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3693

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Harish T Dass  
Primary Examiner  
Art Unit 3693



9/28/2007